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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,109	01/23/2004	Luc Dinh Truong	016295.1558 (DC-05790)	7874
23640	7590	04/26/2006	EXAMINER	
BAKER BOTTS, LLP 910 LOUISIANA HOUSTON, TX 77002-4995			PATEL, HARI	
			ART UNIT	PAPER NUMBER
			2115	
DATE MAILED: 04/26/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/764,109	Applicant(s) TRUONG, LUC DINH	
	Examiner Hari Patel	Art Unit 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/23/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 20 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5, 6, 7, 10, 11, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. As per Claim 5, lines 5-6 recite the limitation “a magnetic switch”. It is unclear if this is the same “magnetic switch” disclosed in Claim 3, line 3.

5. As per Claims 6 and 7, lines 3, recite the limitation “a digitizer”. It is unclear if this is the same “digitizer” disclosed in Claim 1, line 7.

6. As per Claims 10, 11, 14 lines 2-3, 2, and 4, respectively, recite the limitation “a stylus”. It is unclear if this is the same “stylus” disclosed in Claim 9, line 4.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 – 3, 6, 7, 15 – 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Park et al (U.S. PG-Pub No. 2002/0103616).

9. As per Claim 1, Park et al. (hereinafter, referred to as "Park") teach an information handling system (*Fig. 1 – handheld electronics device, 11*), comprising:

at least one processor (*electronic signal processing module – paragraph [0008], line 5; and Fig. 1, element 17*);

a stylus garage operably associated with the processor, the stylus garage operable to removably engage at least one stylus (*paragraph [0009], lines, 1-4*);

the processor operable to determine a parking status of the stylus in the stylus garage and to effect one or more information handling system power states in response to the parking status of the stylus in the stylus garage (*paragraph [0009]*).

Park does not explicitly teach a memory operably associated with a processor and a digitizer operably coupled to a the processor and the memory, however, a handheld electronics device, such as the one disclosed by Park, would inherently require a memory to store functionality algorithms of the handheld device and a digitizer

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to convert stylus inputs to a digitizing tablet (*Fig. 1, touch screen, 13*). An information handling system with a memory would intrinsically be associated with the processor and the digitizer would intrinsically be coupled to the processor and memory.

10. As per Claim 2, Park teaches said information handling system further comprising a switch operably coupled to the stylus garage; and the stylus operable to actuate the switch when parked in the garage (*paragraphs [0010] and [0015]*).

11. As per Claim 3, Park teaches said information handling system further comprising a magnetic switch disposed proximate the stylus garage; and a magnetic stylus operable to actuate the magnetic switch when disposed proximate the magnetic switch (*paragraphs [0010] and [0016]*).

12. As per Claims 6 and 7, Park teaches said information handling system further comprising the processor operable to effect operation of the digitizer in a reduced power mode when the stylus is parked in the stylus garage (*paragraph [0009], lines 1-7 and 9-15*). Since a touch screen would inherently be coupled to a digitizer to convert inputs from the touch screen to digital data, the digitizer's operation would inherently be affected in either a reduced power mode, or an input mode.

13. As per Claims 15 – 18, it is directed to the method for powering an information handling system as set forth in Claims 1, 2, 3, 6, 7. Since Park teaches the claimed

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information handling system, Park also teaches a method for operating the information handling system.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 4, 5, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. ('616).

16. As per Claims 4, 5, and 20, it would have been obvious to one of ordinary skill in the art that a stylus having its own power supply has the ability to disengage the power supply when the stylus is parked in a stylus garage. When parked in the stylus garage, the stylus is an idle state and it not used, therefore, it would be obvious to at least place the stylus in a reduced power consumption setting. Since Park teaches the stylus may have a magnetic component embedded to react to an electromagnetic sensor in the information handling system (*paragraph [0016]*), it would have been obvious that the magnetic component in the stylus be coupled to a switch, disengaging the power supply of the stylus when the magnetic component is proximate the electromagnetic sensor.

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17. Claims 8 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. ('616) as applied to Claim 1 above, and further in view of Murphy (U.S. Patent No. 6,114,958).

18. As per Claim 8, Park teaches the information handling system of Claim 1 as mentioned above, however, fails to teach generation of a user notification of a non-parked stylus in response to a request to power down the information handling system. Specifically, Park teaches an information handling system that detects whether or not a stylus is parked in the stylus garage of the information handling system. Park fails to teach a user being notified of a non-parked stylus when manually powering down the information handling system.

Murphy teaches an information handling system that detects the parking status of a stylus in a stylus garage and alerts the user if the stylus is not parked in the garage when powering down the information handling system (*Abstract*).

It would have been obvious to one of ordinary skill in the art to have combined the teachings of Park and Murphy because they both teach an information handling system that detects the parking status of a stylus in a stylus garage. Murphy's teaching of a user-notification prevents the stylus from being misplaced or lost when a non-parked status of the stylus is detected when manually powering down the information handling system.

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19. As per Claim 19, it is directed to the method of generating a stylus absence notification for a information handling system capable of generating a stylus absence notification as set forth in Claim 8. Since Park teaches the information handling system capable of generating a stylus absence notification, Park also teaches a method of generating a stylus absence notification.

20. Claims 9 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. ('616) as applied to Claim 1 – 3, 6, and 7 above, and further in view of Thompson et al. (U.S. Patent No. 6,473,076).

21. As per Claim 9, Park teaches an information handling system which can determine whether a stylus is parked in a stylus garage of the information handling system; and to permit operation of the information handling system in one or more operating states depending on results of the stylus parking determination as applied above.

Park, however, does not teach this implementation being operable through software on a computer readable media. Specifically Park teaches the information handling system entering the power-saving mode using hardware implementation based upon a stylus parking status. Park fails to teach the power-savings mode through software implementation.

Thompson et al. (hereinafter, referred to as "Thompson") teach an information handling system (*col. 3, lines 24-26 and Fig. 1*) where a determination of whether a

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stylus is parked in a stylus garage of the information handling system and that permission of operation of the information handling system in one or more operating states depending on results of the stylus determination (*col. 3, lines 53-64*) where the determination and permission is executed through software (*col. 4, lines 4-6*). Software code would inherently require computer readable media to store instructions.

It would have been obvious to one of ordinary skill in the art to combine the teachings of Park and Thompson because they both teach an information handling system that enters a power-savings mode depending upon whether or not a stylus is parked in a stylus garage. Thompson's teaches this Implementation through software, while Park does not.

22. As per Claims 10 – 13, Park – Thompson teach the claimed limitations as applied to Claims 1, 2, 3, 6, 7 and 9 above.

23. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park et al. ('616) and Thompson et al. ('076), and further in view of Murphy ('958) as applied to Claims 8 and 9 above.

24. As per Claim 14, it is directed to software operable to generate a notification as set forth in Claim 8. Since Park – Murphy teach the claimed notification generation, and Thompson teaches managing power through software, Park – Thompson – Murphy also teach the software operable to generate a notification in response to a request for

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power down of the information handling system and a determination that a stylus is not parked in the stylus garage.

Conclusion

25. Any inquiry concerning this communication from the examiner should be directed to Hari Patel whose telephone number is 571-272-2743. The examiner can normally be reached on Monday – Thursday from 8:00am – 5:30pm and every other Friday from 8:00am – 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee, can be reached at 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of the application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Hari Patel
Examiner
Art Unit 2115



**CHUN CAO
PRIMARY EXAMINER**